

Application Serial No.: 10/724,965
Amendment Dated: July 13, 2005
Reply to Office Action Dated: June 15, 2005

REMARKS/ARGUMENTS

Applicant thanks the Examiner for the teleconference of July 6, 2005 in which she indicated that the June 15, 2005 Office Action was intended as a reminder that Applicant should submit any additional prior art it might have obtained as a result, for example, of the lawsuit filed May 10, 2004. The Complaint in that lawsuit was never served on the owner of the patent and, indeed, the suit has since been dismissed. Thus, no additional art has been provided by the third party. In addition, Applicant has reviewed its files for the corresponding foreign patent applications, and has found no art that has not been submitted to the Examiner.

Applicant has now submitted three Information Disclosure Statements (dated December 1, 2003, March 26, 2004, and July 30, 2004). Copies of these three IDSs are attached. It appears that none of these IDSs have been completely reviewed by the Examiner. Portions of the first two IDSs were struck through by the Examiner without explanation. As was discussed on June 16, 2004, although the December 1, 2003 IDS contains information previously considered by the Examiner in the parent application, the MPEP provides that the Examiner can sign the IDS for this application, which results in the cited references appearing on the face of the new patent. See MPEP 609(I.A.2). In addition, the July 30, 2004 IDS has never been returned to the Applicant. Applicant would appreciate the Examiner indicating that she has considered the Information Disclosure Statements by signing and returning the PTO/SB/08A forms submitted again herewith.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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